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22. The process of Claim 21, wherein the reusable container comprises a rigid upper portion.
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REMARKS

This is intended as a full and complete response to the Office Action dated July 3, 2002. Claims 1-22 are pending and stand rejected. The Examiner is respectfully requested to reconsider the rejections and to contact the undersigned if there are any remaining issues that the Examiner believes could be resolved in an interview which could result in allowance of the case.

Claims 1-4, 8-15, and 19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Archbold* '559.

The Applicant respectfully traverses the rejection. *Archbold* is entitled a Window School Bag and discloses a school bag having a viewing port for an optical identification card, such as a bus pass. The present invention is for a reusable container, such as would contain beverage and dairy industries and other flowable products, that can be filled from a dispensing machine. (Paragraphs 0012, 0015, 0020, and other paragraphs in the specification.) All independent claims recite an electronic "intelligent" tag described on page 5, paragraph 0019, in the specification as allowing the reader or scanner to read data from the electronic tag and/or write data to the tag. The specification further provides numerous examples on page 5, paragraph 0020 as to what information the electronic "intelligent" tag can provide, including buying frequency, product type, product customization characteristics, direct billing information (such as credit card information) and other particular information relative to that particular reusable container. The intelligent tag allows for the collection and recordation of this type of information *on the reusable container itself* that can be read and downloaded and updated for various uses.

None of the references cited, including *Archbold*, have electronic intelligent tags that contain such information on the reusable container itself. The Examiner is respectfully requested to withdraw the rejection.

Claims 1-4, 8-15, and 19-21 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Smith* '731.

The Applicant respectfully traverses the rejection. *Smith* discloses a money bag having a machine readable code, such as a bar code label. The present claims recite an electronic intelligent tag. *Smith*'s identifier is neither electronic nor intelligent, as defined in the present specification. The Examiner is respectfully requested to withdraw the rejection.

Claims 1, 8-12, 17, 19-20 and 22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Kapper* '342.

The Applicant respectfully traverses the rejection. *Kapper* discloses a machine and human readable identifier attached to a keg or barrel. The various disclosed embodiments of identifiers are optically based, so that they can be scanned by a camera for processing. The identifier is unique for each container, but appears to be a constant value for each container. The container is tracked by that value. Any use or other specific information is merely associated with the identifier in a remote database and not in the identifier itself. Thus, the identifier in *Kapper* would not be an "intelligent" identifier that itself contains such information, as defined in the specification of the present invention. The Examiner is respectfully requested to withdraw the rejection.

Claims 1-21 stand rejected under 35 U.S.C. § 103 as being unpatentable over *Pfeiffer* '636 in view of *Kapper* '342. The Examiner states that *Pfeiffer* discloses a reusable container, but no identification means and that it would be obvious to provide the container with the identifier of *Kapper*.

The Applicant respectfully traverses the rejection. As explained above, *Kapper* does not teach an electronic intelligent tag as recited in all independent claims. The combination of *Pfeiffer* and *Kapper* does not solve this deficiency. As a further note, *Pfeiffer* does not teach a collapsible container that reduces its volume upon collapse. Instead, the exterior volume of *Pfeiffer* remains the same. The Examiner is respectfully requested to withdraw the rejection.

Claims 5 and 16 stand rejected under 35 U.S.C. § 103 as being unpatentable over *Smith*. The Examiner states that *Smith* discloses the features of the invention, but not the elastomeric material used to make the reusable container.

The Applicant respectfully traverses the rejection. As explained above, *Smith* does not teach an electronic intelligent tag. Regardless of the material, *Smith* would not make obvious the present recited invention. The Examiner is respectfully requested to withdraw the rejection.

While the above distinctions regarding the independent claims are believed to be sufficient for patentability, the Applicant does not waive any rights in the dependent claims that separately contain patentable distinctions.

In conclusion, the references cited by the Examiner, neither alone nor in combination, teach, show or suggest the present invention. Therefore, it is believed that the rejections made

by the Examiner have been obviated, and Applicant respectfully request that the same be withdrawn. Allowance of the claims is therefore requested.

Respectfully submitted,

Date: _____

9/30/02

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SEP 30 2002

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the claims:

1. (Amended) A reusable container, which comprises therein one or more [electronically [and/or optically] readable identification means, the identification means comprising an electronic intelligent tag.
8. (Amended) The reusable container of Claim 1, wherein the identification means [is] comprises one or more types selected from resistance tagging, optical tagging and transponder tagging.
9. (Amended) A container for providing information, comprising a reusable container, an identification means comprising an electronic intelligent tag coupled to the reusable container, and one or more fill apertures for refilling the reusable container.
10. (Amended) The container of Claim 9, wherein the identification means comprises [an electronic and/or optical identification means] a transponder.
12. (Amended) A process for the monitoring and recordal of product information during filling or refilling of a reusable container, which comprises the steps of:
 - (a) reading an [electronic and/or optical] identification means comprising an electronic intelligent tag on the reusable container; and

- (b) storing the information obtained therefrom in a storage means that is capable of being interrogated to extract and optionally process the information.

19. (Amended) The process of Claim 12, wherein the identification means [is] comprises one or more types selected from resistance tagging, optical tagging and transponder tagging.

20. (Amended) A process for using an identification means, comprising the steps of:

- (a) providing one or more [electronic and/or optical] identification means comprising an electronic intelligent tag with a reusable container; and
- (b) monitoring and recording product information during a refilling of the reusable container.